

**MINUTES OF THE MEETING OF THE
ROWAN COUNTY BOARD OF COMMISSIONERS**

June 17, 2013 – 6:00 PM

J. NEWTON COHEN, SR. ROOM

J. NEWTON COHEN, SR. ROWAN COUNTY ADMINISTRATION BUILDING
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Present: Jim Sides, Chairman
Craig Pierce, Vice-Chairman
Jon Barber, Member
Mike Caskey, Member

Absent: Chad Mitchell, Member

County Manager Gary Page, Clerk to the Board Carolyn Barger, County Attorney Jay Dees and Finance Director Leslie Heidrick were present.

Chairman Sides convened the meeting at 6:00 p.m.

Commissioner Caskey provided the Invocation and also led the Pledge of Allegiance.

Chairman Sides stated that Commissioner Mitchell was absent due to a death in the family.

CONSIDER APPROVAL OF THE MINUTES

Commissioner Barber moved, Commissioner Pierce seconded and the vote to approve the minutes of the June 3, 2013 Commission Meeting passed unanimously.

CONSIDER ADDITIONS TO THE AGENDA

- Commissioner Pierce requested to add a discussion regarding raises for the employees.

Chairman Sides added the issue as agenda item #3a.

- Commissioner Pierce moved to add a discussion from Rowan County Tax Administrator Kelvin Byrd concerning a plan to implement local business

advertising as an insert for tax bills. Commissioner Barber seconded and the motion passed unanimously (4-0).

Chairman Sides added the discussion as item #2a.

CONSIDER DELETIONS FROM THE AGENDA

Commissioner Pierce moved to delete Consent Agenda item B. The motion was seconded by Commissioner Barber and passed unanimously (4-0).

CONSIDER APPROVAL OF THE AGENDA

Commissioner Pierce moved, Commissioner Barber seconded and the vote to approve the agenda as amended passed unanimously (4-0).

1. CONSIDER APPROVAL OF CONSENT AGENDA

Commissioner Barber requested to pull Consent Agenda item D for discussion.

Chairman Sides placed the issue on the regular agenda as item #4a.

Commissioner Pierce moved approval of the Consent Agenda as amended. The motion was seconded by Commissioner Barber and passed unanimously (4-0).

The Consent Agenda consisted of the following:

- A. FY 2013 Vehicles and Equipment Funding
- B. Dissolve Airport Development Zone Economic Incentive Grant Agreement
(This item was deleted from the agenda)
- C. FY 2014 HCCBG Funding Plan
- D. Resolution to Dissolve the Salisbury Rowan Human Relations Council
(This issue was moved to the regular agenda for discussion as item #4a)

2. PUBLIC COMMENT PERIOD

Chairman Sides opened the Public Comment Period to entertain comments from any citizens wishing to address the Board. With no one wishing to address the Board, Chairman Sides closed the Public Comment Period.

ADDITION

2a. DISCUSSION REGARDING ADVERTISING INSERTS FOR TAX BILLS

Commissioner Pierce said there had been discussions concerning the cost of postage involved in mailing the tax bills. Commissioner Pierce said a way to offset postage costs was to sell advertising inserts to go with the bill. Commissioner Pierce said the annual cost for three (3) mailings was approximately \$55,000 and the hope was to offset the postage by approximately \$25,000 to \$30,000, depending on the amount of participation. Commissioner Pierce stated there were a few restrictions for the advertisements.

Commissioner Pierce moved to allow the Tax Administrator to pursue the advertising in order to offset some of the costs to the County. Commissioner Barber seconded and the motion passed unanimously (4-0).

3. QUASI-JUDICIAL HEARING FOR CUP 01-13

Chairman Sides read the Chairman's Speech (Exhibit A) and declared the public hearing for CUP 06-13 to be in session. Chairman Sides said the hearing would focus on an application submitted Sunlight Partners LLC to construct a 4 megawatt ground mounted solar energy system on Tax Parcel 368-040 located at the 400 block of St. Peters Church Road.

The Clerk swore in those wishing to provide testimony in the case.

Senior Planner Shane Stewart presented the Staff Report (Exhibit B) and also provided a power point presentation (Exhibit C) as he explained that Sunlight Partners LLC was requesting a conditional use permit to construct a 4 megawatt ground mounted photovoltaic solar energy system. The proposed site was a 37 acre Rural Agricultural (RA) zoned parcel owned by Betty Holshouser. Using the power point presentation (Exhibit C), Mr. Stewart showed the proposed site and surrounding areas.

Mr. Stewart said ZTA 03-12, approved March 4, 2013, amended the Zoning Ordinance to permit solar energy systems in the RA district subject to the issuance of a conditional use permit in lieu of requiring Commercial, Business, Industrial (CBI) or Industrial (IND) zoning.

Mr. Stewart reviewed the Conditional Use Criteria contained in the Staff Report (Exhibit B).

Mr. Stewart provided the Board with sample Findings of Fact (Exhibit D).

In response to an inquiry from Chairman Sides, Mr. Stewart confirmed the applicant had agreed to all four (4) requirements.

Mike Fox, an attorney from Greensboro representing petitioners provided a handout (Exhibit E) and highlighted the information contained therein.

Nathan Murdock, Project Manager for Sunlight Partners, said there were multiple projects around the state. Mr. Murdock referred to a solar farm as similar to that of a previous applicant (shown in Exhibit C). Mr. Murdock stated that a fence was part of the plan to keep the facility secure and safe.

In response to Chairman Sides' question as to what the total anticipated tax value of improvements were, Mr. Murdock said the improvement taxes would be in the millions but he was uncertain as to the exact number for the site.

Mr. Fox state the improvement taxes were determined locally by the tax appraiser. Mr. Fox said the number that generally changed was the equipment which was not sourced until all of the permits are completed, so the value of the equipment was unknown until it was purchased. Mr. Fox said the tax would also depend on the location of the property and what type of use the property was designated.

Commissioner Pierce said he had noticed on Section 2 of the big plan, the engineer had listed minimal signage as a request. Commissioner Pierce said he was concerned with the long fence that would wind around on the property and what the definition of minimum would be.

David Bond, the engineer for the project, said the amount of signage would be what the County required, especially for safety features. Mr. Bond said there would be no signage on the street noting where the project was located.

Mr. Fox noted that maintaining signage was one of the conditions agreed to.

With no one else sworn to provide testimony in the case, Chairman Sides closed the public hearing.

Commissioner Barber moved that the development of the property in accordance with the proposed conditions will not materially endanger the public health or safety.

FACT: The required warning signage and proposed 6 foot fence will both warn individuals of potential hazards and restrict unauthorized access.

FACT: Site construction will be in accordance with the Building Codes Enforcement Office and engineering certifications to ensure the panels are properly installed and securely anchored.

Commissioner Pierce seconded and passed unanimously (4-0).

Commissioner Barber moved that the development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property, or that the development is a public necessity. The motion was seconded by Commissioner and passed unanimously.

FACT: No material evidence was presented suggesting this request would injure property values.

Commissioner Pierce seconded and the motion passed unanimously (4-0).

Commissioner Barber moved that the location and character of the development in accordance with the proposed conditions will be in general harmony with the

area in which it is located and in general conformity with any adopted county plans. The motion was seconded by Commissioner and passed unanimously.

FACT: Planning Staff provided testimony regarding potential noise, glare, and dust impacts for the operation based on industry research and a visit to a similar facility in Mount Airy, NC known as the Ararat Solar Farm.

FACT: Noise levels for the internally located inverters should not be substantial at the property lines.

FACT: According to the staff report, panel glare should be similar to that exhibited by agricultural crops, grasses, and bodies of water.

FACT: The landscape buffer identified on the site plan along with the buffer extension condition should reduce visibility to surrounding properties.

FACT: The Eastern Rowan Land Use Plan recognizes the numerous resource based industries such as quarries and forestry related uses in eastern Rowan. As such, this use would capture the solar energy resources and provide a “clean” energy option for electricity generation.

Commissioner Pierce seconded and the motion passed unanimously (4-0).

Commissioner Barber moved, Commissioner Pierce seconded, and the vote to approve CUP 06-13 with Staff’s recommended conditions passed unanimously (4-0).

ADDITION

3a. EMPLOYEE RAISES

Finance Director Leslie Heidrick said the Human Resources Department had pulled information together with the recommendation from the Board to increase employee salaries by two (2%) percent if the employee made \$29,999 or below; one and one half (1½%) percent if the employee made between \$30,000 and \$49,999, and one (1%) percent if the employee made \$50,000 or more. Ms. Heidrick stated all the figures, plus benefits totaled \$484,764.28. Ms. Heidrick said the current budget was \$525,000, so this proposal would be roughly \$40,000 less than what was budgeted.

Chairman Sides moved to accept the plan as presented. Commissioner Pierce seconded and the motion passed unanimously (4-0).

4. CONSIDER ADOPTION OF FY 2013-14 BUDGET

Chairman Sides opened the floor for discussion and/or a vote regarding the fiscal year 2013-14 budget.

Fund 101

General Fund

Commissioner Pierce moved to accept the budget for Fund 101 for FY 13-14. Commissioner Caskey seconded the motion.

Commissioner Barber said the budget did not address any quality of life issues in Rowan County. Commissioner Barber said he could not support the budget since the increase of \$820,000 to Rowan Salisbury Schools (RSSS) was not included. Commissioner Barber explained that the \$820,000 would be one-time funds and not recurring revenue needs. Commissioner Barber said out of the \$820,000 the County could partner with RSSS and cover half the cost of school resource officers, the County could allow the classroom supply room money to go into the current expense budget to save teaching assistant jobs, and the County could contribute to a self-funding line item entitled the Child Nutrition Program. Commissioner Barber said he could not support the motion as presented due to those reasons.

Chairman Sides disagreed with Commissioner Barber over the budget not addressing the quality of life for Rowan County citizens. Commissioner Sides said the tax rate was a quality of life issue. Commissioner Sides said he had never supported a tax increase; however, next year he may not be able to take that position. Chairman Sides said there was one item in particular he could not agree on with his fellow commissioners and therefore he could not support the general fund budget.

Commissioner Caskey said he would support the budget knowing it was not a perfect budget and that there was enough in the budget he could agree to support. Commissioner Caskey said there were items he wished could be funded, but knew they could not.

Commissioner Pierce said he could support the budget. Commissioner Pierce went on to say he wished there were more funds for the schools. Commissioner Pierce said a lot of the issues fall to the state government in not sending the money to the counties. Commissioner Pierce said Commissioner Barber was correct in that there were a lot of quality of life issues that were not in the budget and the only way to pay for those items was to increase taxes. Commissioner Pierce said he had added up all the budget requests and he estimated taxes would need to be raised \$.25 per \$100 value in order to grant the requests. Commissioner Pierce said the budget was not what the Board wanted to do but rather what the Board could afford to do. Commissioner Pierce said he would be in favor of the budget.

Upon being put to a vote, the motion on the floor tied 2-2 with Commissioners Sides and Barber dissenting.

Chairman Sides said there would have to be another meeting and vote when Commissioner Mitchell returned. .

Fund 201**Fire District Fund**

Chairman Sides said the Board had previously voted to increase the tax rate for Mt. Mitchell Volunteer Fire Department (VFD) by one-half ($\frac{1}{2}$) cent for fiscal year 2013-14. Chairman Sides said after communications with the Mt. Mitchell VFD, he learned the VFD did not have the required public hearing for a proposed tax increase. Chairman Sides reported that the VFD held its annual meeting in October 2012 where the tax increase was discussed and approved by the Board of Directors. Chairman Sides continued by explaining the Commissioners had adopted a Resolution in 2012 that required every VFD to hold a public hearing if the VFD was requesting a tax increase. Chairman Sides felt every VFD should adhere to the requirements.

Chairman Sides moved to rescind the Mt. Mitchell one half cent ($\frac{1}{2}$) fire tax increase. Commissioner Pierce seconded and the motion passed 3-1 with Commissioner Barber dissenting.

Commissioner Pierce moved approval of Fund 201 with the change, followed by a second from Commissioner Caskey. The motion passed 3-1 with Commissioner Barber dissenting.

Fund 202**Emergency Telephone System Fund**

Commissioner Barber moved approval of Fund 202. Commissioner Pierce seconded the motion passed unanimously (4-0).

Fund 501**Risk Management Fund**

Commissioner Barber moved approval of Fund 501. Commissioner Pierce seconded and the motion passed unanimously (4-0)

Fund 601**Landfill Fund**

Commissioner Barber moved approval of Fund 601. Commissioner Pierce seconded and the motion passed unanimously (4-0)

Fund 603**Airport Fund**

Commissioner Barber moved approval of Fund 603. Commissioner Pierce seconded and the motion passed unanimously (4-0)

5. DISCUSSION REGARDING JULY MEETING SCHEDULE

Chairman Sides said the Board typically meets once during month of July when possible.

Commissioner Sides moved to hold one meeting in the month of July, cancelling the second meeting in the month. The motion was seconded by Commissioner Pierce and passed unanimously (4-0).

6. CONSIDER APPROVAL OF BUDGET AMENDMENTS

Finance Director Leslie Heidrick presented the following budget amendments for the Board's consideration:

- Health – Reduce budgeted revenues and salary expenses per the Smart Start Healthy Beginnings Program revisions - \$2760.00
- Health – Correctly align revenues and expenditures for Child Care Health Consultant (CCHC) based on Smart Start Grant budget revisions.
- Library – To receive additional revenue received for gifts. To be used to purchase books and materials for the Library - \$22,701
- Finance – Budget increase in occupancy tax revenues and expenditures to Tourism Development Authority - \$10,000
- Finance – Budget Increase in veterinary fees revenues and expenditures due to an increase in adoptions - \$28,900
- Finance – Budget increase in revenues and expenditures due to an increase in concealed weapon permits - \$17,145
- Finance – To budget potential additional revenues for the Fire Districts - \$97,100
- Finance – To revise the budget for the closure of the RDH Water Capital Projects Fund - \$66,976
- Finance – To revise the budget for the closure of the Satellite Jail Capital Projects Fund - \$303,581
- Finance – To remove completed Community Development Projects in Fund 203; SFR 2009 - \$397,000, Home Grant 2006 - \$133,667, Home Grant 2007 - \$116,068, Home Grant 2009 - \$159,189, Home Grant 2010 - \$200,919, CDBG Grant 2005 - \$400,000, CDBG Grant 2008 - \$400,000, CDBG-R Grant 2010 - \$100,000.

Commissioner Pierce moved approval of the budget amendments as presented. The motion was seconded by Commissioner Barber and passed unanimously (4-0).

7. CONSIDER APPROVAL OF BOARD APPOINTMENTS

UNION VFD FIRE COMMISSION

During regular session on June 3, 2013, the Board of Commissioners considered appointments for the Union VFD Fire Commissioners. Since that time, Staff discovered a computer error that still left one (1) vacancy.

Tom Waller submitted an application for reappointment. The term is for two (2) years beginning July 1, 2013 and expiring June 30, 2015.

Commissioner Barber nominated Tom Waller and the nomination passed unanimously (4-0).

8. ADJOURNMENT

There being no further business to come before the Board, Commissioner Pierce moved to adjourn at 6:46 p.m. The motion was seconded by Commissioner Barber and passed unanimously (4-0).

Respectfully Submitted,

Carolyn Barger, CMC, NCCCC
Clerk to the Board/
Assistant to the County Manager